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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,365	12/06/2000	Avinash C. Saxena	066241.0109	8105

7590

09/13/2002

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EXAMINER

RIMELL, SAMUEL G

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 09/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,365

Applicant(s)

SAXENA, AVINASH C. 

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-24 is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

SAM RIMELL
PRIMARY EXAMINER

Art Unit: 2175

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Saksena et al. ('726).

Claim 1: FIG. 2 of Saksena discloses the step of receiving a request (202) at an origin server (203) for a web page (204). The web page may reside at the origin server (203). As seen in FIG. 3, the document request which is sent to the server includes a path file (309). A sample pathfile is illustrated at column 7, lines 1-10. The pathfile defines a series of links that can link together individual pages (nodes) of a given URL address. Thus, the pages (nodes) and the links collectively act as a prefetch graph to define which documents on the URL are to be prefetched and retrieved to a local cache (col 3, lines 8-14 and col. 3, line 36). Web pages are selected for prefetching based on the existence of a link to that page and a weighting factor associated with each link.

Claim 2: Each link in the pathfile is a hypertext link.

Claim 3: Each link in the pathfile has a transaction weight.

Claim 4: The user who sends the request for the document changes the transaction weight. The user can use any logical criteria for deciding where to set the transaction weight, including consideration of server characteristics.

Claim 5: The transaction weight also reads identically as a "user weight".

Claim 6: The user weight is correlated to the priority of the document being requested for prefetching. The higher the user weight, the higher the priority of the document (col. 4, lines 25-28).

Claim 7: For any given hypertext link in the pathfile, the user weight can be changed or updated.

Claim 8: The user can change the user weight. The user can use any logical criteria for setting the weight, including consideration of server characteristics.

Claim 9: An increase in the user weight to a given link indicates an increased value of that link (col. 4, lines 25-28).

Claim 10: The pathfile which defines the prefetch graph derives from the user, who also possesses the local cache (col. 1, lines 37-39). If the local cache is defined as the local hard drive of the user, then the pathfile which defines the prefetch graph would be stored at the local cache.

Claim 11: In selecting the sequence of pages to prefetch, the links having the highest weight value will be selected as the very next web page prefetched, following the initial web page request.


Claim 12: The highest weight is associated with the highest numerical value.

Claim 13: The weights are also compared against a minimum threshold value which is established by the user (col. 2, lines 20-25). Since the user possess the cache, the threshold is associated with the cache.

Claim 14-15: The user can update the weight value based on any logical criteria desired by the user. This may include criteria related to the user's computer or criteria related to the network.

Claims 16-24 are allowed.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
Art Unit 2175